

S/N: 10/087,500

Atty Dkt No. GP-301390

Remarks

In response to the Amendment filed on October 16, 2003, in which claim 6 was canceled, the Examiner issued a final rejection of remaining claims 1-5 and 7-12 under 35 U.S.C. §103(a). The Examiner finds claims 1-5 and 7-12 to be unpatentable over LeVey et al. (United States Patent No. 6,540,251) in view of Tajimi et al. (United States Patent No. 6,485,048). The Examiner found Applicants' argument that the so-called "clip" 50, 60 of LeVey et al. does not become "permanently attachable" to the roof rail (i.e., the panel 20) to be nonpersuasive.

Applicants resubmit that the LeVey et al. clip 50, 60 is not permanently attachable to the panel 20. As stated in the October 16, 2003 Amendment, the spring washer 50 is freely movable along the shaft 30 between the bolt head 34 and the annular protuberance 38 when the nut 40 is removed. This movability enables the engagement member 60 to move, and the prong 62 to become disengaged from the edge of the larger opening portion 25.

However, to make the claims more definite, Applicants propose to define the structure of the snap-in clip in a manner that is not met by LeVey et al. Accordingly, Applicants propose to amend claims 1, 7 and 10 to define the snap-in clip 26 as "including a fastening portion" 40 as shown in Figure 3 and described on page 7 at line 9. As stated on page 3 at line 16: "fasteners are threaded into the snap-in clips[.]" As further described on page 6 at lines 12-14:

[r]emovable serviceability attachment features 28 are inserted through washers 29, then through holes in each mounting tab 22 and each cushion retention tab 24, and then threaded into the snap-in clips 26.

Furthermore, as described on page 8 at lines 10-13:

If the air bag module 12 needs service, a technician merely removes the threaded fasteners 28 and the entire module 12 is detachable from the roof rail 34 of the frame 42 of the vehicle.

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The Examiner in her rejection finds that LeVey et al. requires two parts to meet the claim language, i.e., "a removable serviceability attachment feature (#30, 40)." Applicants need only one part (#28). As is clear from Figure 3, the threaded fastener 28 is removable from a fastening portion 40 of the snap-in clip 26.


In the sense of Applicants claims, the LeVey et al. clip 50, 60 does not have a fastening portion. Moreover, the nut 40 of LeVey et al. is but one part of the removable attachment feature because the nut 40 requires a bolt shaft 30 if there is to be an "attachment feature." The nut 40 of LeVey et al. is not fastened to the clip 50, 60. Accordingly, the clip 50, 60 does not "include a fastening portion" as does the snap-in clip 26 of the Application. In fact, by including a fastening portion 40 on the snap-in clip 26, Applicants accomplish with two components (clip 26, bolt 28) where LeVey et al. requires three (nut 40, bolt 30, clip 50, 60). Accordingly, because it includes a fastening portion 40, Applicants' snap-in clip 26 enables a reduction in parts in comparison to the bolt retention assembly of LeVey et al.

Conclusion

This amendment is believed to be fully responsive to the Office Action mailed December 31, 2003. Claim 6 has been canceled. The amendments to claims 1, 7 and 10 and remarks in support of the rejected claims are believed to place remaining claims 1, 7 and 10, as well as claim 2, which depends from claim 1, claim 3, which depends from claim 2, claim 4, which depends from claim 3, claim 5, which depends from claim 4, claim 8, which depends from claim 7, claim 9, which depends from claim 8 and claim 11, which depends from claim 10, in condition for allowance, which action is requested.

No additional fee is believed to be due. However, please charge any fees that may be associated with this paper to deposit account 07-0960.

Respectfully submitted


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